Robert M. Dombroff (RD 6902)
Mark M. Elliott (ME 0840)
Lauren C. Gould (LG 1995)
Maryaneh Mona Simonian (MS 2654)
BINGHAM McCUTCHEN LLP
399 Park Avenue
New York, New York 10022
(212) 705-7000
Attorneys for Defendants Deutsche Bank Trust Company Americas,
MB Statutory Trust, and Bingham McCutchen LLP

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

JET STAR ENTERPRISES LTD.,

KI KISLS LID.,

Plaintiff, : 05-CV-6585 (HB)

- against - : <u>NOTICE OF MOTION</u>

GEORGE SOROS, PURNENDU CHATTERJEE,
DEUTSCHE BANK TRUST COMPANY
AMERICAS, WELLS FARGO BANK
NORTHWEST, N.A., AKIN GUMP STRAUSS
HAUER & FELD LLP, BINGHAM McCUTCHEN
LLP, SIDLEY AUSTIN BROWN & WOOD LLP, and
MB STATUTORY TRUST,

Filed Electronically

Defendants.

:

PLEASE TAKE NOTICE that, upon the annexed Declarations of Lauren C. Gould ("Gould Declaration"), and John I. Karesh ("Karesh Declaration") dated December 12, 2005, the exhibits annexed thereto, the accompanying Memorandum of Law and all prior proceedings herein, the undersigned will move this Court before the Honorable Harold Baer, Jr., United States District Judge, at the United States Courthouse for the Southern District of New York, 500 Pearl Street, New York, New York, at such time as the Court hereafter determines, for

an order pursuant to Rules 9(b) and 12(b)(6) of the Federal Rules of Civil Procedure, dismissing

the First Amended Complaint herein on the grounds that (i) the amended complaint fails to state a claim upon which relief may be granted; and (ii) the amended complaint does not allege fraud with particularity as required by Fed. R. Civ. P. Rule 9(b); and granting such other and further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant the Stipulation entered into by the parties, dated November 21, 2005, answering papers, if any, are due on, or before, January 9, 2006.

PLEASE TAKE FURTHER NOTICE that, reply papers, if any, are due on, or before, January 16, 2006.

Dated: New York, New York December 12, 2005

By:/s/ Lauren C. Gould

BINGHAM McCUTCHEN LLP

Bingham McCutchen LLP

By:/s/ John C. Grosz

P.C.

Robert M. Dombroff (RD 6902)

Mark M. Elliott (ME 0840)

Lauren C. Gould (LG 1995)

Maryaneh Mona Simonian (MS 2654)

New 399 Park Avenue

New York, New York 10022

Attorneys for Defendants Deutsche Bank Trust

Company Americas, MB Statutory Trust, and

John I. Karesh (JK 4280)
John C. Grosz (JG 6081)
805 Third Avenue
New York, New York 10022
(212) 407-6990
Attorneys for Wells Fargo Bank Northwest,
N A

VEDDER, PRICE, KAUFMAN & KAMMHOLZ,

PATTERSON BELKNAP WEBB & TYLER, LLP

By:/s/ Kenneth J. King

Kenneth J. King (KK 3567) 1133 Avenue of the Americas New York, New York 10036 (212) 336-2555 Attorneys for Akin Gump Strauss Hauer & Fela LLP

BUTLER, FITZGERALD, FIVESON & McCARTHY, P.C.

By:/s/ Raymond L. Fitzgerald

Raymond L. Fitzgerald (RF 9526) David J. McCarthy (DM 7910) 350 Fifth Avenue Suite 6215 New York, New York 10118 (212) 615-2200 Attorneys for George Soros

FRIEDMAN KAPLAN SEILER & ADELMAN LLP

By:/s/ Lance J. Gotko

Eric Seiler (ES 5437)
Lance J. Gotko (LG 5443)
Mala Ahuja Harker (MH 7176)
1633 Broadway
New York, New York 10019
(212) 883-1115
Attorneys for Sidley Austin Brown & Wood
LLP

MORRISON COHEN LLP

By:/s/ David A. Piedra

David A. Piedra (DP 9693) 909 Third Avenue New York, New York 10022 (212) 735-8600

Of Counsel

Dustin F. Hecker Posternak Blankstein & Lund LLP The Prudential Tower 800 Boylston Street Boston, MA 02199 (617) 973-6131 Attorneys for Purnendu Chatterjee

TO: Violet Elizabeth Grayson

Attorney at Law 270 Ninth Avenue San Francisco, CA 94118 (415) 386-3367 Attorney for Plaintiff Jet Star Enterprises, Ltd.